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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/985,677	11/05/2001	Jun Kamada	826.1492D	4025

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STAAS & HALSEY LLP		
SUITE 700		
1201 NEW YORK AVENUE, N.W.		
WASHINGTON, DC 20005		

EXAMINER	
JUNG, DAVID YIUK	

ART UNIT	PAPER NUMBER
2134	

MAIL DATE	DELIVERY MODE
06/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/985,677

Applicant(s)

KAMADA ET AL.

Examiner

David Y. Jung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 4,39 and 48 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 4,39 and 48 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

CLAIMS PRESENTED

Claims 1-2, 4-38, 40-47, 49-54 have been cancelled.

Claims 3, 39, 48 are presented.

Response to Arguments

Applicant's arguments with respect to double patenting have been fully considered and are persuasive. The rejection under double patenting has been withdrawn.

CLAIM REJECTIONS

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 3, 39, 48 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimizu (US Patent 6,005,936).

Claim 3: A system for managing files, comprising: main-file storing means for storing a main-file (column 1, lines 42-57, i.e., the saving of the image data D); authentication information creating means for creating main-file authentication information to be used to verify the main-file (column 1, lines 42-57, i.e., the authentication information which is attached as a file separate from the image data D); and sub-file storing means for storing at least one sub-file to which the main-file authentication information is related (column 1, lines 42-57, i.e., the authentication information which is attached as a file separate from the image data D; column 2, lines 20-28, i.e., authentication information is attached separately from the image data – indeed, Shimizu notes that such separate nature has been a well known prior art and Shimizu even suggests an improvement from such prior art).

Claim 39: A method of managing files, comprising the steps of: storing a main-file (column 1, lines 42-57, i.e., the saving of the image data D); creating main-file authentication information to be used to verify the main-file (column 1, lines 42-57, i.e., the authentication information which is attached as a file separate from the image data D); and storing at least one sub-file to which the main-file authentication information is related (column 1, lines 42-57, i.e., the authentication information which is attached as a file separate from the image data D; column 2, lines 20-28, i.e., authentication information is attached separately from the image data – indeed, Shimizu notes that such separate

nature has been a well known prior art and Shimizu even suggests an improvement from such prior art).

Claim 48: A computer readable storage medium having a recorded file management program for enabling a computer to execute:
main-file storing step of storing a main-file (column 1, lines 42-57, i.e., the saving of the image data D);
authentication information creating step of creating main-file authentication information to be used to verify the main-file (column 1, lines 42-57, i.e., the authentication information which is attached as a file separate from the image data D); and
sub-file storing step of storing at least one sub-file to which the main-file authentication information is related (column 1, lines 42-57, i.e., the authentication information which is attached as a file separate from the image data D; column 2, lines 20-28, i.e., authentication information is attached separately from the image data – indeed, Shimizu notes that such separate nature has been a well known prior art and Shimizu even suggests an improvement from such prior art).

Claim Rejections - 35 USC § 101

The claimed invention is directed to non-statutory subject matter. Claims 4, 39, 48 recite files and sub-files, but this is insufficient. What do these files and sub-files do? What is the function? How is this different from merely storing a thought (e.g., in a mind of a person)? The word “function” is used in MPEP 2106 and therefore Applicant is directed to MPEP 2106 for more detailed discussion of what the Office means by

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"function." The preambles of the claims recite computer and computer readable medium but this is insufficient. MPEP 2106 clearly notes that such a perfunctory recitation, analogous to an algorithm/content (e.g., equation/music) being on a computer, is insufficient. Such would exalt form over substance.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

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(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Kambiz Zand whose telephone number is (272) 272-3811.

David Jung

Patent Examiner

6/23/07

A handwritten signature in black ink, consisting of a large loop followed by a series of connected strokes that extend to the right.